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**FACSIMILE TRANSMISSION COVER SHEET**

TO:

COMPANY: USPTO

COUNTRY:

FACSIMILE NUMBER: 571-273-8300

FROM: Louis J. Capezzuto

ROOM NO.:

TELEPHONE NO.: 732-524-2218

DATE: November 8, 2007

FACSIMILE NUMBER: 732-524-5866

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 26

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CALL

COMMENTS: Refaxing copies of correspondence, Notice of Appeal and Appeal Brief filed on September 4, 2003 and refaxed to the USPTO on 9/15/06 and 5/18/07 per phone conversation with Examiner Brian Casler.

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**FACSIMILE TRANSMISSION COVER SHEET****TO:****COMPANY: USPTO****COUNTRY:****FACSIMILE NUMBER: 571-273-8300****FROM: Louis J. Capezzuto****TELEPHONE NO.: 732-524-2218****ROOM NO.:****DATE: November 8, 2007****FACSIMILE NUMBER: 732-524-5866****NUMBER OF PAGES INCLUDING THIS COVER SHEET:**

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**COMMENTS:** Refaxing copies of correspondence, Notice of Appeal and Appeal Brief filed on September 4, 2003 and refaxed to the USPTO on 9/15/06 and 5/18/07 per phone conversation with Examiner Brian Casler.

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**Kelly, Miriam [JJCUS Non J&J]**

---

**From:** Panyasithavong, Vilayphon (Chugach) [Vilayphon.Panyasithavong@USPTO.GOV]  
**Sent:** Friday, May 18, 2007 2:24 PM  
**To:** Kelly, Miriam [JJCUS Non J&J]  
**Subject:** RE: 09/621,322 - BIO-103

Thanks, the response was receipt today May-18-07. Acknowledged ans received.

Vilayphon Panyasithavong  
Office Manager Tech Center 3700  
U.S Patent & Trademark Office  
Randolph Building 5A80-C

Tel: (571) 272-4358  
Fax: (571) 273-4358  
E-mail: [vilayphon.panyasithavong@uspto.gov](mailto:vilayphon.panyasithavong@uspto.gov)

-----Original Message-----

**From:** Kelly, Miriam [JJCUS Non J&J] [mailto:[MKelly10@CORUS.JNJ.com](mailto:MKelly10@CORUS.JNJ.com)]  
**Sent:** Friday, May 18, 2007 2:19 PM  
**To:** Panyasithavong, Vilayphon (Chugach)  
**Subject:** 09/621,322 - BIO-103  
**Importance:** High

Dear Ms. Vilayphon:

As requested copies of Appeal Papers. Papers were faxed and emailed.

<<09621322.pdf>>

*Miriam Kelly  
Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933  
Phone: 732-524-2375  
Fax: 732-524-5866*

**Kelly, Miriam [JJCUS Non J&J]**

---

**From:** Kelly, Miriam [JJCUS Non J&J]  
**Sent:** Friday, May 18, 2007 2:19 PM  
**To:** 'vilayphon.panyasithavong@uspto.gov'  
**Subject:** 09/621,322 - BIO-103  
  
**Importance:** High

Dear Ms. Vilayphon:

As requested copies of Appeal Papers. Papers were faxed and emailed.

  
09621322.pdf

*Miriam Kelly  
Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933  
Phone: 732-524-2375  
Fax: 732-524-5866*

NOV. 8. 2007 11:04AM PATENT LAW

NO. 3375 P. 5

P. 1

\* \* \* COMMUNICATION RESULT REPORT ( MAY. 18. 2007 11:47AM ) \* \* \*

FAX HEADER 1:  
FAX HEADER 2:

TRANSMITTED/STORED : MAY. 18. 2007 11:41AM	FILE MODE	OPTION	ADDRESS	RESULT	PAGE
1032 MEMORY TX			USPTO	OK	22/22
REASON FOR ERROR					
E-1) HANG UP OR LINE FAIL			E-2) BUSY		
E-3) NO ANSWER			E-4) NO FACSIMILE CONNECTION		

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NEW BRUNSWICK, NEW JERSEY 08933-7003

## F A C S I M I L E T R A N S M I S S I O N C O V E R S H E E T

ATTN: Ms Vilaypaon  
 TO: Eleni Mantis Mercader  
 COMPANY: USPTO  
 Assistant: 273-4358  
 FAX NO.: 571-272-4740

FROM: Louis J. Capezzuto  
 TEL NO.: 732-524-2818  
 FAX NO.: 732-524-5866  
 FILE NO: BIO-103  
 SERIAL NO.: 09/621,322

DATE: May 18, 2007

571-373-902  
 9103  
 9104

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 22

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NOV. 8. 2007 11:04AM PATENT LAW

NO. 3375 P. 6

P. 1

\* \* \* COMMUNICATION RESULT REPORT ( SEP. 15. 2006 3:45PM ) \* \* \*

FAX HEADER 1:  
FAX HEADER 2:

TRANSMITTED/STORED : SEP. 15. 2006 3:39PM	FILE MODE	OPTION	ADDRESS	RESULT	PAGE
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REASON FOR ERROR		E-2} BUSTY E-3} NO ANSWER E-4} NO FAXSIMILE CONNECTION			

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**FACSIMILE TRANSMISSION COVER SHEET**

TO: Brian Casler

COMPANY: USPTO

COUNTRY:

FACSIMILE NUMBER: 571-273-4956

FROM: Louis Capezzuto

TELEPHONE NO.: 732-524-2218

ROOM NO.:

DATE: September 15, 2006

FACSIMILE NUMBER: 732-524-5866

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 20

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CALL

COMMENTS: Re: USSN 09/621,322; our file BIO-0103

As requested, copies of Appeal papers filed September 4, 2003 are attached.

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE SOLELY TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

NOV. 8. 2007-11:04AM PATENT LAW

PAGE 7/31 \* RCVD AT 11/8/2007 11:07:44 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-2/9 \* DNIS:2738300 \* CSID:732 524 5866 \* DURATION (mm:ss):07-50

NO. 3375 P. 7

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Docket No. BIO-0103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED  
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Applicants : Assaf Govari

NOV 08 2007

Serial No. : 09/621,322

Art Unit: 3737

Filed : July 20, 2000

Examiner: Brian Casler

For : MEDICAL SYSTEM CALIBRATION STATIC METAL COMPENSATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450RESPONSE

Dear Sir:

In response to a telephone communication with the Examiner of this date, Applicant respectfully submits the following documents for filing:

Copy of return Postcard indicating receipt of documents

Copy of Notice of Appeal,

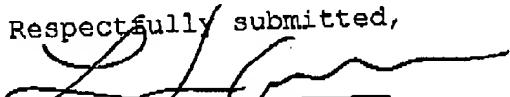
Copy of Notice of Brief on Appeal

Copy of Petition for Extension of Time

These documents were filed with the USPTO on September 4, 2003.

If the Examiner requires further documentation, it is respectfully requested that he contact the undersigned attorney.

Respectfully submitted,

  
Louis J. Capezzutto  
Attorney for Applicant  
Reg. No. 37,107

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-2218  
Dated: September 15, 2006

Serial No. 09/621,322 Docket No. B10-103 By: LJC/AM  
 Application of: Assaf Govari Mailed: 9-4-03  
 Entitled: Medical System Calibration Static Metal Compensation

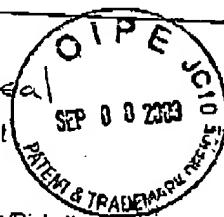
THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATE STAMPED HEREON:

<input type="checkbox"/> Oath or Declaration	<input type="checkbox"/> MPEP 609/
<input type="checkbox"/> Assignment	<input checked="" type="checkbox"/> Notice of Appeal
<input checked="" type="checkbox"/> Charge to Deposit Account 10-0750	<input checked="" type="checkbox"/> Brief on Appeal
<input type="checkbox"/> Amendment	<input type="checkbox"/> Priority Document
<input checked="" type="checkbox"/> Extension of Time (1 Month)	<input type="checkbox"/> Status Inquiry
<input type="checkbox"/> Issue Fee Transmittal	<input type="checkbox"/> Sequence Listings/Diskette
<input type="checkbox"/> PCT Filing	<input type="checkbox"/> Biological Deposit Declaration
<input type="checkbox"/> IDS-Form 1449	<input type="checkbox"/> Other _____

Serial No. 09/621,322 Docket No. B10-103 By: LJC/AM  
 Application of: Assaf Govari Mailed: 9-4-03  
 Entitled: Medical System Calibration Static Metal Compensation

THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATE STAMPED HEREON:

<input type="checkbox"/> Oath or Declaration	<input type="checkbox"/> MPEP 609/
<input type="checkbox"/> Assignment	<input checked="" type="checkbox"/> Notice of Appeal
<input checked="" type="checkbox"/> Charge to Deposit Account 10-0750	<input checked="" type="checkbox"/> Brief on Appeal
<input type="checkbox"/> Amendment	<input type="checkbox"/> Priority Document
<input checked="" type="checkbox"/> Extension of Time (1 month)	<input type="checkbox"/> Status Inquiry
<input type="checkbox"/> Issue Fee Transmittal	<input type="checkbox"/> Sequence Listings/Diskette
<input type="checkbox"/> PCT Filing	<input type="checkbox"/> Biological Deposit Declaration
<input type="checkbox"/> IDS-Form 1449	<input type="checkbox"/> Other _____



## Auto-Reply Facsimile Transmission



TO:

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2 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

=====>

UL 12. 2006 4:45PM PA-EM-AW NO. 3375 P.  
Docket No. 6100103USNIP

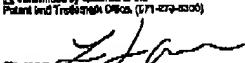
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Azad Gorabi** Confirmation No.: 3443  
Application No.: **09/821,322** Group No.: **3737**  
Filed: **July 20, 2000** Examiner: **Eleni M. Meritis Mercader**  
For: **MEDICAL SYSTEM CALIBRATION STATIC METAL COMPENSATION**

**CERTIFICATION UNDER 37 C.F.R. § 1.4(a)**

I hereby certify that, on the date shown below, this correspondence is being:

Mailing  deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

July 12, 2006 

Communications for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**STATUS INQUIRY**

1. More than 34 months have passed since:

NEW APPLICATIONS  
the filing of the application on **July 20, 2000**.  
No communication has been received from the Patent and Trademark Office indicating action on the application.

AMENDED APPLICATIONS  
the filing of a response on **September 4, 2008**.  
No further communication has been received from the Patent and Trademark Office.

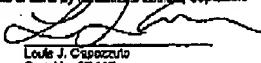
APPEALED APPLICATION  
The Appeal Brief was filed on **September 4, 2008**.

An Examiner's Answer was mailed on **July 12, 2006**.

A Reply to the Examiner's Answer was submitted on **September 4, 2008**.

ALLOWED APPLICATIONS  
the mailing of FORM PTO-807 and/or Examiner's Amendment on **September 4, 2008**.

2. Kindly advise the Undersigned of the present status of this application, by checking the appropriate box below. A stamped return-addressed envelope is provided or send by mail to: Louis J. Capozzola  
732-524-5866.

  
Louis J. Capozzola  
Reg. No. 37,107

PAGE 12 \* RCVD AT 7/12/2006 4:49:49 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/9 \* DNIS:2738300 \* CSID:732 524 5866 \* DURATION (mm:ss):07:50